

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

JACKIE HAM,)	
)	
Plaintiff,)	
)	
v.)	
)	Civil Action No. 06-1692
GARY F. GREER, <i>et al.</i> ,)	Judge McVerry
)	Magistrate Judge Caiazza
)	
Defendants.)	

MEMORANDUM ORDER

Jackie Ham's ("Ham" or "the Plaintiff") Complaint pursuant to 42 U.S.C. §1983 was received by the Clerk of Court on December 22, 2006, and was referred to United States Magistrate Judge Francis X. Caiazza for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's Report, filed on November 2, 2007, recommended that Defendants' Motions to Dismiss (Docs. 25, 35, 43 and 48) be granted, and that the Court decline to exercise pendent jurisdiction over the Plaintiff's state law claims. The parties were allowed ten days from the date of service to file objections. The Plaintiff filed objections on November 26, 2007 (Doc. 54), and Defendant Clark filed a response on December 3, 2007 (Doc. 55).

After de novo review of the pleadings and documents in the case, together with the Report and Recommendation and the

objections and response to objections, the following ORDER is entered:

AND NOW, this 3rd day of December, 2007,

IT IS HEREBY ORDERED that Defendants' Motions to Dismiss (Docs. 25, 35, 43 and 48) are GRANTED. IT IS FURTHER ORDERED that the Court declines to exercise pendent jurisdiction over the Plaintiff's state law claims, and those claims are DISMISSED without prejudice. The Report and Recommendation of Magistrate Judge Caiazza, (Doc. 52) and dated November 2, 2007, is adopted as the opinion of the court.

s/Terrence F. McVerry

U.S. District Court Judge

CC:
JACKIE HAM
#05689-068
FCI McKean
P.O. Box 8000
Bradford, PA 16701

Kristin L. Pieseski, Esquire
Email: kpieseski@dmcp.com

Deborah D. Olszewski, Esquire
Email: ddo@oq-law.com